

NEWS RELEASE

U. S. FISH & WILDLIFE SERVICE - REGION 1

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**REVISED NORTHERN SPOTTED OWL CRITICAL HABITAT PROPOSAL OF
8.2 MILLION ACRES ANNOUNCED BY FISH AND WILDLIFE SERVICE**

The U.S. Fish and Wildlife Service further refined its critical habitat proposal for the northern spotted owl by proposing today that 8.2 million acres of Federal and state land be declared critical habitat for the Federally designated threatened species. The revised proposal is a drop of about 3 million acres from the agency's initial proposal in April 1991 of 11.6 million acres, due largely to the elimination of private and Native American lands and some state-owned lands from the new plan.

In response to an order from the U.S. District Court for the Western District of Washington last spring, the Fish and Wildlife Service proposed that 11.6 million acres be declared critical habitat for the spotted owl, of which approximately 3 million acres were privately-owned and 610,000 acres were state-owned.

Today's proposal calls for critical habitat designation for 8.2 million acres of land managed by the U.S. Forest Service, Bureau of Land Management, U.S. military, and the states of California, Oregon, and Washington. A total of 181 critical habitat units are identified in today's proposal, of which 61 are in California (1.8 million acres), 77 are in Oregon (3.8 million acres), and 43 are in Washington (2.7 million acres). Of the approximately 8.2 million acres proposed, 6.4 million acres are managed by the U.S. Forest Service, 1.3 million acres are managed by the Bureau of Land Management, 60,000 acres are managed by the U.S. military, and 440,000 acres are managed by the three states.

In announcing the reproposal, Marvin Plenert, director of the Fish and Wildlife Service's Pacific region, headquartered in Portland, Oregon, reiterated that critical habitat neither establishes "owl sanctuaries" nor bans human activities in such areas. "All that is required here under the law is for Federal actions that might adversely modify critical habitat to be consulted on," Plenert said. "It is no different than the critical habitat that already has been designated for 108 other endangered and threatened species throughout the United States,

without significant disruption to people or to their livelihoods."

Private, Tribal, and some state lands have not been included in this latest proposal because of the Fish and Wildlife Service's belief that management on these lands is more appropriately addressed through the recovery plan that will be developed for the spotted owl, as well as by other environmental laws.

In California, for example -- the state with the greatest proportion of spotted owls on private lands -- the Service believes that additional protections on those acres through the designation of critical habitat are not necessary. In this finding, the Service cited the efforts by the State of California and a number of private timber companies to develop management plans compatible with owl conservation in deciding to exclude private lands from the revised proposal.

The Service also considered the role of state environmental protection and forest practices laws in excluding private and some state lands from this proposal, judging that active enforcement of these rules would eliminate the need for additional protections derived from a critical habitat designation.

In its finding, the Service praised the incorporation into state forest practices review processes of Federal guidelines on avoidance of "incidental taking" of spotted owls on private lands by California and Washington, for example. Oregon, with the least amount of suitable owl habitat remaining on private lands, has not adopted such review procedures.

In its new proposal, the Service drew heavily on the work of the Interagency Scientific Committee (ISC) -- the Federal panel chaired by Forest Service research biologist Jack Ward Thomas -- in revising and updating its original plan announced in April. It considers the ISC plan, issued in April 1990, to be a scientifically credible framework for identifying and evaluating owl habitat based upon the best available biological data. The Service believes that Federal and state land should be the principal focus of the owl critical habitat designation; the state lands proposed for designation are considered vital in maintaining links between different owl populations.

Where new information indicated that unsuitable habitat had been included in the Service's original proposal, boundaries of individual critical habitat units have been adjusted to the extent possible. However, it is not possible to exclude all such areas by revising boundaries; in cases where proposed

critical habitat still encompasses small towns, farms, golf courses, or other manmade structures, they remain unaffected by any potential critical habitat designation because they do not contain the habitat elements that the designation seeks to conserve. In addition, not all lands with owls or owl habitat have been included in the revised proposal -- an indication by the Service that a recovery plan for the owl, rather than simply inclusion within a critical habitat area, could prove more helpful to the species.

"In the original proposal, portions of towns, golf courses, and pasture land, among other settled areas, were included, simply because the requirements of mapping and defining adjacent habitat with value to owls necessitated their incorporation," said Plenert. "The fact that human activities in these areas would be unaffected by any critical habitat designation was largely ignored or overlooked by many people. With the exclusion of private lands from this reproposal, their concerns should diminish."

As prescribed by the Endangered Species Act, a part of the process of refining the Service's critical habitat proposal was an analysis of the effects of critical habitat on the economy of the Pacific Northwest. A blue-ribbon team, composed of economists from a number of Federal agencies, studied the effects of the proposal on Federal Treasury revenues, the timber industry, and regional employment. The team estimates the proposal could result in a net \$43 million loss of revenue to the Federal Treasury, a reduction of \$54 million in timber sales, and elimination of 2,458 timber industry-related jobs. These estimates apply only to the effects of the critical habitat proposal and do not address impacts associated with listing the owl as a threatened species or implementation of other management programs, such as the ISC plan.

Information provided by the economic analysis team was used by the Fish and Wildlife Service to balance the economic costs of the critical habitat designation with the overall benefits. Under the Endangered Species Act, areas may be excluded from designation if the benefits of exclusion outweigh the benefits of designation, as long as the exclusion does not result in the species extinction. As a result, all sold but uncut timber sales have been excluded. This includes about 4.7 billion board feet. In addition, the Service believes that not including private land will have a substantial positive economic impact.

The process by which the Fish and Wildlife Service has proposed critical habitat for the northern spotted owl has been the subject of litigation by the Sierra Club Legal Defense Fund, Inc. In February 1991, that group won an order from the U.S.

District Court compelling the agency to immediately propose critical habitat for the species. Today's proposed rule revises the preliminary proposal announced in April to comply with that court order.

Today's revised proposal, which will be published in the Federal Register sometime during the week of August 12, 1991, will start a 60-day public comment period, during which another four public hearings will be held on spotted owl critical habitat in Redding, California; Medford, Oregon; Olympia, Washington; and Portland, Oregon, in September. The exact dates, times, and locations of the hearings will be announced soon.

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